

CHAPTER 22
Zoning

22.16 Removal of Top Soil Regulated

(Rep. & recr. #66-01)

(1) **PURPOSE.** The removal of topsoil in residential areas is regulated in order to reduce the presence of noise, dust and dirt in residential areas, to encourage the restoration of natural beauty therein, to preserve property values and to promote the general health, safety and welfare.

(2) **PERMIT REQUIRED.** No person shall engage in the stockpiling or commercial removal of top soil from lands zoned or used for residential purposes without first securing a permit therefore from the Zoning Administrator.

(3) **APPLICATION FOR PERMIT.** The application shall be on forms provided by the Zoning Administrator. Upon application being made for the stockpiling or commercial removal of top solid, the Zoning Administrator shall make an investigation to determine the effect of the proposed operation upon the general health, safety and welfare of persons living in the area and in adjacent and surrounding areas.

(4) **GRANTING OF PERMIT.** The Zoning Administrator shall evidence approval of such application by a permit issued for such time and under such conditions as may be deemed necessary for the protection of the health, safety and general welfare. The Zoning Administrator may impose such conditions as may be reasonable to regulate any top soil removal operation as may be consistent with the purposes enumerated in this chapter and as may be consistent with the general purposes of the comprehensive zoning plan of the City. The Zoning Administrator may require a bond, in an amount to be determined by the Plan Commission, from the applicant for the permit in order to guarantee compliance with the conditions of such permit.